

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE CERTIFICATE OF : STATE BOARD OF EXAMINERS
BRENDA ANTINORE : ORDER OF REVOCATION
_____: DOCKET NO. 429 – 12/96-139

At its meeting of December 12, 1996 the State Board of Examiners reviewed the information received from the Gloucester County Prosecutor's Office indicating that Brenda Antinore was convicted on February 1996 on charges of possession of a controlled dangerous substance (cocaine) in the third degree. She was sentenced to three years probation, conditioned upon successful completion of a substance abuse program, payment of fines and a six (6) month revocation of her driver's license. Ms. Antinore currently holds a Teacher of Health and Physical Education certificate.

At that meeting the State Board of Examiners voted that the conviction constituted sufficient grounds for issuing an Order to Show Cause. Brenda Antinore was served with the Order to Show Cause by regular and certified mail on or about January 21, 1997. The Order provided that if Brenda Antinore desired to file an Answer to the Order, such answer must be filed within twenty (20) days. On February 24, 1997, an Answer to the Order to Show Cause was received from Ms. Antinore.

Ms. Antinore's Answer to the Order to Show Cause admits that she pled guilty to a third degree CDS possession charge. She states she is drug free and summarizes her rehabilitation program. She submits she would be agreeable to a term of suspension of her license to run until her probation period has been satisfied, or in the alternative that the State Board of Examiners consider the past eighteen months as her period of suspension. She adds that she is willing to be

tested for drugs randomly. She contends she would like to be able to share her experience, strength and hope with young people, notwithstanding her wrong choice.

Pursuant to N.J.A.C. 6:11-3.6(a)1, on June 26, 1997 a hearing notice was mailed by regular and certified mail to Ms. Antinore. The certified mail return receipt was signed and returned. The regular mail copy was returned indicating that the forwarding order had expired. As Ms. Antinore had signed the certified mail copy of the order to Show Cause, on October 23, 1997, Ms. Antinore was advised by certified and regular mail that she was being provided an additional ten (10) days to file a response to the initial hearing notice. On December 9, 1997, Ms. Antinore responded to the hearing notice.

Ms. Antinore's reply to the hearing notice admits that drug use of any type is conduct unbecoming a license holder. She further submits that at no time did she use any type of drugs during her employment at Salem High School. She states she took a non-paid leave of absence from her tenured position at Salem High School in November of 1994, and returned in the Spring of 1995. She states that the reason for taking the leave was a result of her awareness of her problem. She claims she is clean and sober today. She asserts she has been in recovery for two years, including in-house treatment, out-patient treatment and on-going relapse prevention group therapy. Recognizing that she is currently on probation for her conviction, she requests a suspension of her license during that time. She further submits that taking away her license would affect her future earning potential for her family. She adds that she would be more than willing to submit to random drug testing for any and all drugs, including alcohol. She asks that the State Board of Examiners recognize that while she did make a life mistake, she is suffering the consequences and penalty for her action.

The State Board of Examiners first noted that this hearing is not one that considers evidence of rehabilitation. See, In the Matter of the Revocation of the Teaching Certificate of Gloria Jackson by the State Board of Examiners, decided by the State Board of Examiners March 28, 1996, aff'd State Board of Education September 6, 1996, aff'd App. Div. September 9, 1997.

Hence, the State Board of Examiners did not consider Ms. Antinore's statements concerning her alleged rehabilitation or how long she has been drug free, but instead focused on assessing whether her conviction for drug possession constitutes conduct unbecoming a license holder.

In this regard, school law cases have traditionally recognized the right of the State Board of Examiners to revoke license where the teacher was involved in criminal activities, even if the activities were not related to the classroom, see Cox v. State Board of Examiners (App. Div. Docket No. A-3527-81T3) (November 18, 1983); State Board of Examiners v. Krupp, 3 N.J.A.R. 285 (1981). The use of drugs and the possession of drugs are inconsistent with the State's policy to eliminate drug abuse in the schools, In the Matter of the Tenure Hearing of David Earl Humphreys, 1978 S.L.D. 689. Misuse of dangerous drugs by students themselves, or by the role models to whom students look for guidance, will not be tolerated under any circumstances. In the Matter of the Certificate of Barbara Corwick, OAL Docket No. EDE 3562-87, State Board of Examiners decision (March 24, 1988).

Accordingly, in light of this State's strong policy opposing the use of illegal drugs, the State Board of Examiners finds Ms. Antinore's conviction conduct unbecoming a license holder. The appropriate penalty for her unbecoming conduct is the revocation of Ms. Antinore's licensure.

It is, therefore, ORDERED that, Brenda Antinore's Teacher of Health and Physical Education certificate, be revoked on this 2nd day of April, 1998.

It is further ORDERED that Brenda Antinore return her certificate to the Secretary of the State Board of Examiners, Office of Licensing, CN 500, Trenton, NJ 08625-0500 within fifteen (15) days of receipt of this letter.

Secretary
State Board of Examiners

Date of Mailing: November 6, 1998

Appeals may be made to the State Board of Education pursuant to the provisions of N.J.S.A. 18A:6-28.

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